

PRESENTATION OF PREFILED RESOLUTIONS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held July 7, 2014 and the Regular Meeting of the Town Board held July 7, 2014 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Assistant to the Supervisor, to wit:

Claim No. 36216 to Claim No. 36467 Inclusive

Total amount hereby authorized to be paid: \$2,179,095.08

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014
File: Rclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:
(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of Lancaster are waived for this permit.
(CSW) = Conditional sidewalk waiver
(V/L) = Village of Lancaster

NEW PERMITS:

Pmt #	SW	Applicant Name	Address	STRUCTURE	Village
23019		Lancaster Land LP	12 Prairie Ln	Er. Dwlg.-Sin.	
23020		RJF Development JV	36 Middlebury Ln	Er. Dwlg.-Sin.	
23021		Todd Schnitzer	14 Wildwood Dr	Er. Deck	(V/L)
23022		Joanne Danner	5636 William St	Er. Pool-Abv Grnd	
23023		Robin Greene	47 Signal Dr	Re-Roof	
23024		Advance Care Vets	5915 Broadway	Er. Sign – Pole	
23025		3-D Home Contractors LLC	5257 William St	Dem. Bldg	
23026		3-D Home Contractors LLC	5257 William St	Er. Garage	
23027		3-D Home Contractors LLC	5257 William St	Er. Res. Add.	
23028		Dalex Construction Inc.	15 Wayne St	Re-Roof	(V/L)
23029		Domingo & Marta Santiago	25 Via Donato W	Re-Roof	
23030		Mary S Duman	45 Fifth Ave	Er. Res. Add.	(V/L)
23031		John Zurbrick	13 Waltham Ave	Er. Garage	(V/L)
23032		Robert & Darlene Pitzonka	183 Nathan's Trl	Er. Shed	
23033		KAI Construction Company	6647 Transit Rd	Er. Comm. Bldg.	
23034		Ohrt & Goodman Inc.	350 Pleasant View Dr	Re-Roof	
23035		Patrick J Turner	55 Williamsburg Ln	Er. Pool-Abv	
23036		The Kaz Company	13 Butler Dr	Re-Roof	
23037		John H. Roach	61 Middlebury Ln	Er. Fence	
23038		CMK Builders	66 Nichter Rd	Er. Dwlg.-Sin.	
23039		Walter Ferry	280 Pavement Rd	Er. Dwlg.-Sin.	
23040		Gerald Lewis DBA	28 Katelyn Ln	Re-Roof	
23041		Jody Catalano	11 Jenny Ln	Er.	
23042		Gregory J. Nikiel	3 Wendtworth Ct	Re-Roof	
23043		Joseph P Becker	3567 Walden Ave	Re-Roof	(V/L)
23044		Joseph B Martin II	263 Erie St	Er. Fence	
23045		James Nayman	46 Sterling Pl	Er. Shed	
23046		Timothy Sullivan	54 C St	Er. Dwlg.-Dbl.	
23047		Eric & Nicole Glogowski	40 Heritage Dr	Re-Roof	
23048		Leveled Contracting Inc.	942 Townline Rd	Re-Roof	
23049		Andrea Karan	23 Pardee Ave	Er. Deck	(V/L)
23050		Marrano/Marc Equity Corp.	30 Jonquille Ct	Er. Dwlg.-Sin.	
23051		Pleasant Meadows Assocs LLC	31 Newberry Ln	Er. Dwlg.-Sin.	
23052		Michael & Colleen Tranquilli	3 Buckingham Ct	Er. Pool-Abv Grnd	
23053		Robert Davies	260 Lake Ave	Er. Deck	(V/L)
23054		Superior Decks & Gazebos Inc.	71 Michael Anthony Ln	Er. Deck	
23055		Geoffrey Brown	10 Tranquility Trl	Er. Deck	
23056		David Zurawski	17 Juniper Blvd	Er. Fence	
23057		Salvatore Musso	333 Pleasant View Dr	Inst. Generator	
23058		Pleasant Meadows Assocs LLC	41 Newberry Ln	Er. Dwlg.-Sin.	
23059		Howard & Cheryl Noll	223 Warner Rd	Er. Shed	
23060		Today's Windows & Siding	39 Stutzman Rd	Re-Roof	
23061		Derek Suminski	2 Worthington Ln	Er. Shed	
23062		Daniel Siergiej	63 Trentwood Trl N	Re-Roof	
23063		Lancaster Federal Credit Union	30 Brunswick Rd	Re-Roof	(V/L)
23064		Robert & Lori Speyer	285 Westwood Rd	Er. Dwlg.-Sin.	
23065		John Carubba	1436 Townline Rd	Er. Fence	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has heretofore held a public hearing pursuant to Chapter 50-Zoning Section 17 (F) of the Code of the Town of Lancaster, upon the application of **Joanne Rocco**, for a Special Use Permit for a Home Occupation (Antiques, Home Decor, and Handcrafted Items Retail Store) on premises located at 5300 William Street, Lancaster, New York, and the Board originally issued such Special Use Permit on August 4, 2008, this Special Use Permit is subject to renewal upon application by the property owner, and

WHEREAS, **Joanne Rocco** has requested that the Town Board renew the Special Use Permit for an additional two (2) year period;

**NOW THEREFORE, BE IT
RESOLVED, as follows:**

1. That pursuant to Chapter 50-Zoning, Section 17 (F), entitled "Home Occupation", of the Code of the Town of Lancaster, the Town Board of the Town of Lancaster does hereby grant a Special Use Permit to **Joanne Rocco**, for a Home Occupation (Antiques, Home Decor, and Handcrafted Items Retail Store) on premises located at 5300 William Street, Lancaster, New York, upon the terms and conditions as set forth in the Zoning Ordinance, and
2. That the applicant will continue in compliance with conditions as set forth in Chapter 50, Section F, of the Code of the Town of Lancaster as long as the applicant continues to engage in the home occupation on the premises, namely
 - a. This Special Use Permit terminates when the applicant no longer resides on the premises.
 - b. Permit must be renewed every two (2) years at no additional cost to applicant.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, Jim Ando Plumbing Inc., 4534 Clinton Street, West Seneca, NY 14224, the contractor for providing plumbing work for the new Police and Court Building (Public Safety Building), has submitted Change Order No. 1 in the amount of \$333.00 to the Town Board for their approval, based on the descriptions of additional work to be performed provided to the Town Board;

**NOW, THEREFORE, BE IT
RESOLVED,** that the Town Board of the Town of Lancaster hereby approves Change Order No. 1 to Jim Ando Plumbing Inc., with respect to the outlined descriptions previously provided to the Town Board:

DESCRIPTION OF CHANGE ORDER NO. 1:

Additional compensation for the installation of an additional sprinkler head on the first floor to keep the building in compliance with fire codes.

CHANGE ORDER NO. 1:

The original Contract Sum was	\$ 488,900.00
The Contract Sum will be increased by this Change Order in the amount of....	\$ 333.00
The new Contract Sum increased including this Change Order will be	\$ 489,233.00

**BE IT FURTHER
RESOLVED,** that the Supervisor be and is hereby authorized to execute this Change Order on behalf of the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town Board is considering the erection of a temporary storage building on concrete blocks for storage of topsoil by **Thomann Asphalt** located at 70 Gunnville Road in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on July 7, 2014 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the building, the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. This project, described as the building of a temporary storage building on concrete blocks for storage of topsoil will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: July 21, 2014

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed erection of a temporary storage building on concrete blocks for storage of topsoil by Thomann Asphalt and the Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Thomann Asphalt Temp Building

Location of Action: 70 Gunnville Road, Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted Action.

Description of Action: The erection of a temporary storage building on concrete blocks for storage of topsoil.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.

7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

For Further Information:

Contact Person:	John M. Dudziak, Town Attorney
	Town of Lancaster
Address:	21 Central Avenue
	Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, Thomann Asphalt Paving Corp., has submitted a site plan prepared by Steel Factory Manufacturing, dated May 19, 2014 and received May 22, 2014 for the proposed erection of a temporary storage building on concrete blocks for storage of topsoil located at 70 Gunnville Road, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their June 4, 2014 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on July 7, 2014, in conformance with SEQR (State Environmental Quality Review) regulations and on July 21, 2014 a Negative Declaration was issued.

**NOW, THEREFORE, BE IT
RESOLVED,** that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Thomann Asphalt Paving Corp., and prepared by Steel Factory Manufacturing, dated May 19, 2014 and received May 22, 2014 for the proposed erection of a temporary storage building on concrete blocks for storage of topsoil located at 70 Gunnville Road, in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, the Town Board is considering the construction of a 1,500 square foot single story pre-engineered metal storage building by **Russell’s Steak, Chops & More** located at 6675 Transit Road in the Town of Lancaster, and

WHEREAS, the Town of Lancaster Municipal Review Committee has reviewed the environmental impact of this construction project pursuant to SEQR regulations at their meeting on July 7, 2014 and recommended that a Negative Declaration be issued, and

WHEREAS, the Town Board has duly considered the plans for the building, the short Environmental Assessment Form, the criteria for determining significance set forth in 6 N.Y.C.R.R. § 617.7(c) of the State Environmental Quality Review Act (“SEQRA”) regulations, and such other information deemed appropriate, including the recommendation of the Municipal Review Committee; and

WHEREAS, the Town Board has identified the relevant areas of environmental concern, has taken a hard look at these areas, and has made a reasoned elaboration of the basis for its determination; and

WHEREAS, the proposed action has been labeled an “Unlisted” action under SEQRA.

NOW, THEREFORE,
BE IT RESOLVED by the Town Board of the Town of Lancaster that:

1. This project, described as the building of a 1,500 square foot single story pre-engineered metal storage building will not result in any large and important impacts and, therefore, it is an action which will not have a significant adverse impact on the environment, and therefore the Board issues the attached negative declaration of environmental significance for the reasons stated therein.
2. The Town Clerk shall file a copy of the Negative Declaration in the file for the Project.
3. The Town Attorney's Office shall prepare and file a Notice of Determination of Non-Significance with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal.
4. This resolution is effective immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

NEGATIVE DECLARATION
Determination of Non-Significance

Town of Lancaster Town Board

Dated: July 21, 2014

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Lancaster Town Board (the “Town Board”), has reviewed the proposed construction of a 1,500 square foot single story pre-engineered metal storage building by Russell’s Steak, Chops & More. The Town Board has determined the Project will not have a significant adverse environmental impact and that a Draft Environmental Impact Statement will not be prepared.

Name of Action: Russell’s Steak, Chops & More Storage Building

Location of Action: 6675 Transit Road, Lancaster, New York 14086, Erie County.

SEQR Status: Unlisted Action.

Description of Action: The construction of a 1,500 square foot single story pre-engineered metal storage building.

Reasons Supporting this Determination: Potential environmental impacts associated with the Project were identified in the Environmental Assessment Form. The Town analyzed the project under the criteria for determining significance identified in 6 NYCRR § 617.7(c)(1) and in accordance with 6 NYCRR § 617.7(c)(2) and (3). As indicated below based on each criterion specified in 6 NYCRR § 617.7(c)(1), the Project will not have a significant adverse impact on the environment.

1. The proposed action will not create a material conflict with an adopted land use plan or zoning regulations.
2. The proposed action will not result in a change in the use or intensity of use of land.
3. The proposed action will not impair the character or quality of the existing community.
4. The Town of Lancaster has not established a Critical Environmental Area (CEA).
5. The proposed action will not result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway.
6. The proposed action will not cause an increase in the use of energy or fail to incorporate reasonably available energy conservation or renewable energy opportunities.

7. The proposed action will not impact existing public/private water supplies or public/private wastewater treatment utilities.
8. The proposed action will not impair the character or quality of important historic, archaeological, architectural or aesthetic resources.
9. The proposed action will not result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora or fauna).
10. The proposed action will not result in an increase in the potential for erosion, flooding or drainage problems.
11. The proposed action will not create a hazard to environmental resources or human health.

For Further Information:

Contact Person:	John M. Dudziak, Town Attorney
	Town of Lancaster
Address:	21 Central Avenue
	Lancaster, New York 14086
Telephone Number:	(716) 684-3342

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, Daryl K. Martin, Architect on behalf of **Russell’s Steak, Chops & More**, has prepared and submitted a site plan, dated April 25, 2014 and received May 9, 2014 for the proposed construction of a 1,500 square foot single story pre-engineered metal storage building located at 6675 Transit Road, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their June 4, 2014 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review on July 7, 2014, in conformance with SEQR (State Environmental Quality Review) regulations and on July 21, 2014 a Negative Declaration was issued.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan prepared and submitted by Daryl K. Martin, Architect on behalf of **Russell’s Steak, Chops & More**, dated April 25, 2014 and received May 9, 2014 for the proposed construction of a 1,500 square foot single story pre-engineered metal storage building located at 6675 Transit Road, in the Town of Lancaster.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER TO WIT:

WHEREAS, the Town Line Volunteer Fire Department, Inc., by letter dated July 8, 2014, has requested the addition of a member to the roster of said fire association.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby confirms the addition to the membership of the Town Line Volunteer Fire Department the following individual:

ADDITION:

Jesse Norberg
Lancaster, New York

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, Nick Ciccarelli, 809 Erie Street, Lancaster, New York 14086 has applied for a Dumping Permit for property situated on the corner of Schwartz Road and Erie Street, within the Town of Lancaster, pursuant to Chapter 22-8 of the Code of the Town of Lancaster, and

WHEREAS, the application was referred to the Building Inspector and Town Engineer for review and recommendation, and

WHEREAS, the Building Inspector and Town Engineer, by letter dated July 8, 2014 have completed their review and made a formal, favorable recommendation to the Town Board.

NOW, THEREFORE, BE IT

RESOLVED, that Nick Ciccarelli, 809 Erie Street, Lancaster, New York be and is hereby authorized to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicant situated on the corner of Schwartz Road and Erie Street, Lancaster, New York, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and

BE IT FURTHER

RESOLVED, that **this permit is conditioned** in accordance with the recommendations of the Town Engineer and Building Inspector as follows:

1. Fill shall consist of dirt. No building demolition material such as wood, asphalt shingles, asbestos tiles, etc. are permitted.
2. Access to the site shall be controlled to prevent unauthorized dumping of non-permitted material.
3. Dirt tracked on the road must be cleaned on a daily basis and more often if necessary. The Town of Lancaster Police shall stop operation immediately upon complaint of dirty road.
4. Fill area shall be graded and seeded upon completion of filling.
5. Dumping will be allowed between the hours of 7 A.M. and 8 P.M. Monday thru Saturday. No dumping shall be allowed on Sunday.
6. Dust from the site shall also be prevented from migrating off site.
7. Fill shall only be placed in the areas which are indicated on the plot plan.
8. No signage for dumping allowed.
9. The source of fill is various water and sewer jobs.

BE IT FURTHER

RESOLVED, that no building permit for the construction of any structure on the SBL premises upon which this dumping permit is issued shall be approved by the Town Building Inspector until such time as the Building Inspector certifies in writing to the Town Board that the conditions enumerated in this resolution have been fully complied with, and

BE IT FURTHER

RESOLVED, that pursuant to Chapter 22-8(D)(6) of the Code of the Town of Lancaster the permit authorization granted herein **expires one year from date of this resolution.**

The question of the adoption of the following resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, Jeffrey H. Simme, Supervising Code Enforcement Officer of the Town of Lancaster received a correspondence on May 23, 2014, from New York Inspection Agency, Inc. indicating their intent to conduct electrical inspections within the Town of Lancaster, and

WHEREAS, currently only Commonwealth, Middle Department and Atlantic-Inland, Inc. are accepting new applications for electrical inspections in the Town of Lancaster, thereby causing a strain on local businesses, and

WHEREAS, New York Inspection Agency, Inc. has submitted the necessary information to the Town of Lancaster Building Inspector, including the one-time registration fee and the certificates of insurance for both comprehensive liability, New York State Disability and Workers’ Compensation as stated in Chapter 16 of the Code of the Town of Lancaster (Electrical Inspections) and required by New York State, and

WHEREAS, Jeffrey H. Simme, Supervising Code Enforcement Officer has requested, by letter dated May 28, 2014, that New York Inspection Agency, Inc., be permitted to conduct electrical inspections in the Town of Lancaster.

**NOW, THEREFORE, BE IT
RESOLVED**, that the Town Board of the Town of Lancaster hereby authorizes New York Inspection Agency, Inc., to conduct electrical inspections in the Town of Lancaster as described in Chapter 16 of the Code of the Town of Lancaster (electrical inspections).

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER, TO WIT:

WHEREAS, Sean Hopkins, Esq., on behalf of Young Development Inc., and Fox Creek Estates, LLC, has submitted a site plan prepared by Carmina*Wood*Morris, PC, dated May 2014, with a revision date of June 9, 2014, and received June 25, 2014 for the proposed construction of (5) three-story buildings with 26 upscale residential units per building (total 130 multifamily units) with related site improvements to be known as **Edgewater Apartment Homes** located at 00 & 5928 Broadway, in the Town of Lancaster, and

WHEREAS, the site plan for this project was submitted to the Planning Board and was approved at their June 4, 2014 meeting, and

WHEREAS, the Town, acting as lead agency has completed an environmental review for the rezone (with site plan design) on December 16, 2013, in conformance with SEQR (State Environmental Quality Review) regulations and on January 6, 2014 a Negative Declaration was issued.

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby approves the site plan submitted by Sean Hopkins, Esq., on behalf of Young Development Inc., and Fox Creek Estates, LLC, and prepared by Carmina*Wood*Morris, PC, dated May 2014, with a revision date of June 9, 2014, and received June 25, 2014 for the proposed construction of (5) three-story buildings with 26 upscale residential units per building (total 130 multifamily units) with related site improvements to be known as Edgewater Apartment Homes located at 00 & 5928 Broadway, with the following conditions:

1. Approval of the RPZ by Erie County Water Authority (application submitted 6/2/14).
2. Approval of sanitary drawings by the Erie County Health Department (drawings submitted on 6/25/14).
3. Approval of landscape plan by General Crew Chief Terrance McCracken.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows :

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AQUINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, the General Crew Chief of the Town of Lancaster, by letter dated July 2, 2014, has requested to upgrade the positions held by Leo Warrington and Derek Steimer from full-time Laborer Aide to full-time Laborer in the Parks, Recreation & Forestry Department.

NOW, THEREFORE, BE IT

RESOLVED, that Leo Warrington and Derek Steimer be and are hereby upgraded from full-time Laborer Aide to full-time Laborer, effective July 22, 2014 with all salary and benefits in accordance with the current CSEA white collar contract.

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by letter dated July 14, 2014 has recommended the appointment of Donna Heist of Lancaster, New York to the position of Clerk, part-time permanent working not more than nineteen and three-quarter hours per week.

NOW, THEREFORE, BE IT

RESOLVED, that Donna Heist be and is hereby appointed to the position of Clerk, part-time permanent in the Highway Department at the rate of \$12.00 per hour, effective July 22, and that this being a part-time position, provides no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized to take all necessary action to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster, after due consideration, has determined that the position of Assistant Dog Control Officer part-time temporary seasonal shall be created in the Office of Dog Control to conduct a Town-wide dog census.

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be and is hereby authorized to complete and submit Form PO-17 (New Position Duties Statement) to create ten (10) new positions of Assistant Dog Control Officer, part-time temporary seasonal in the Town of Lancaster Dog Control Office.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, a resolution establishing the standard work day for the New York State and Local Retirement System for elected and appointed officials was adopted by the Lancaster Town Board on July 7, 2014.

NOW, THEREFORE, BE IT

RESOLVED, that the aforementioned resolution is hereby rescinded, and
BE IT FURTHER,

RESOLVED, that the Town of Lancaster, Location Code 30040, hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

TITLE	STANDARD WORK DAY (HRS/DAY)	NAME	SOCIAL SECURITY NUMBER (LAST 4)	REGISTRATION NUMBER	CURRENT TERM BEGIN & END DATES	PARTICIPATES IN EMPLOYER'S TIME KEEPING SYSTEM	RECORD OF ACTIVITIES RESULT
Elected Officials							
Councilman	6	John Abraham			01/01/14 - 12/31/17	No	3.93
Councilman	6	Ronald Ruffino			01/01/14 - 12/31/17	No	6.86
Superintendent of Highways	7	Daniel Amatura			01/01/14 - 12/31/17	No	22.06
Town Justice	6	Anthony Cervi			01/01/14 - 12/31/17	No	4.85
Appointed Officials							
Assistant to Town Supervisor	7	Jean Farmer			01/01/12 - 12/31/15	Yes	N/A
Clerk to Town Justice	7	Jeanne Feldmann			01/01/14 - 12/31/14	Yes	N/A
Clerk to Town Justice	7	Amy Pawlowski			01/01/14 - 12/31/17	Yes	N/A
Deputy Receiver of Taxes	7	Nicole Kotlak			12/14/12 - 12/31/15	Yes	N/A
Deputy Town Attorney	7	Kevin Loftus			01/01/14 - 12/31/15	Yes	N/A
Deputy Town Clerk	7	Donna Martin			01/26/13 - 12/31/15	Yes	N/A
Director of Administration & Finance	7	David Brown			01/01/12 - 12/31/15	Yes	N/A
General Crew Chief	7	Terrence McCracken			01/01/12 - 12/31/15	Yes	N/A
Member, Town Planning Board	7	Joseph Keefe			01/01/14 - 12/31/20	No	0.61
Member, Zoning Board of Appeals	7	Jill Monacelli			01/01/14 - 12/31/18	No	0.49
Secretary to Supervisor	7	Lynn Sacha			02/07/12 - 12/31/15	Yes	N/A
Town Attorney	7	John Dudziak			01/01/14 - 12/31/15	Yes	N/A

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, Lewis Pacanowski, by letter dated July 15, 2014 has recommended the appointment of two (2) individuals to the position of Dog Control Officer, part-time permanent, to fill vacancies that exists in the Dog Control Office.

NOW, THEREFORE, BE IT

RESOLVED, that effective immediately, the following individuals be and are hereby appointed to the position of Dog Control Officer, part-time permanent, working not more than nineteen and three-quarter hours per week:

NAME

Jason Czapla (new-hire)
Lancaster, NY

Philip Heerdt (new-hire)
Depew, NY

BE IT FURTHER,

RESOLVED, that the above individuals shall be compensated according to the following compensation structure that was approved by the Town Board of the Town of Lancaster on February 3, 2013 (a) at a rate of \$50 for each 24-hour period (pro-rated for any portion thereof) that he or she is on on-call status, as directed by the Town, or (b) at the legally-required minimum wage rate, whichever is greater, and

BE IT FURTHER,

RESOLVED, that these being part-time positions, provide no health insurance, sick days, vacation, or other fringe benefits not specifically mandated for part-time employees, and

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster shall be authorized and directed to take all necessary actions to implement the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPNIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, the Supervisor of the Town of Lancaster, by letter dated July 17, 2014, has requested the appointment of six (6) Assistant Dog Control Officers, part-time temporary seasonal to work in the Dog Control Office, to conduct a Town-wide dog census.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed to the position of Assistant Dog Control Officer, part-time temporary seasonal, for a period not to exceed five (5) months, in the Dog Control Office, and that these being part-time positions provide no health insurance, sick days, vacations, or other fringe benefits not specifically mandated for part-time temporary seasonal employees:

<u>NAME</u>	<u>PAY RATE/HR.</u>	<u>EFFECTIVE DATE</u>
Jason Czapla Lancaster, NY	\$8.00	July 22, 2014
Dawn DelPrince Depew, NY	\$8.00	July 22, 2014
Philip Heerdt Depew, NY	\$8.00	July 22, 2014
Jared Mikowski Lancaster, NY	\$8.00	July 22, 2014
Matthew Sacha Lancaster, NY	\$8.00	July 22, 2014
Alexander Snyder Lancaster, NY	\$8.00	July 22, 2014

BE IT FURTHER,

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR FUDOLI, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster wishes to undertake various energy-related improvements to Town facilities, including with regard to systems or components that are in need of repair or replacement, and

WHEREAS, the New York Energy Law permits the Town to enter into an energy performance project to undertake such improvements while minimizing the impact on the Town budget through the realization of energy efficiencies and the provision of an assured performance guarantee.

**NOW, THEREFORE, BE IT
RESOLVED,** that the Town Board hereby approves an energy performance contract between the Town of Lancaster and John W. Danforth Company, in substantially the form presented, for the installation of various energy-related improvements to Town facilities; and

**BE IT FURTHER
RESOLVED,** that the Supervisor is hereby authorized to execute such energy performance contract upon review and final approval by the Town's legal counsel.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER ABRAHAM	VOTED
COUNCIL MEMBER AQUINO	VOTED
COUNCIL MEMBER RUFFINO	VOTED
COUNCIL MEMBER STEMPIAK	VOTED
SUPERVISOR FUDOLI	VOTED

July 21, 2014